THE HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO. 19936 OF 2007

DATED: 20-09-2007

BETWEEN:

Poluri Rama Rao, S/o. Guravaiah
and four others

…Petitioners

and

Macharla Municipality,
Rep.by its Commissioner,
Macharla, Guntur District.

…Respondent

THE HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO. 19936 OF 2007

ORDER:

This writ petition is filed by the petitioners aggrieved by the apprehensive action of the respondent in proposing to dispossess the petitioners from their property in the process of road widening.

2. According to the petitioners, the respondent has not issued any proceedings under the Land Acquisition Act for acquiring the lands of the petitioners including the buildings and even no notices were issued and no consent of the petitioners was also obtained. Therefore, the respondent has no right to interfere or dispossess the petitioners from their property. In view of the apprehension that the respondent may take possession and demolish the structures which are there in the land in question, the petitioners have come up with the present writ petition.

3. After hearing the learned counsel for the petitioners and the learned standing counsel for the respondent-municipality and after

perusing the material on record, the writ petition is disposed of at the admission stage directing the respondent-municipality not to take possession or demolish the structures of the petitioners without acquiring the land of the petitioners with the buildings either under the provisions of the Land Acquisition Act or with the consent of the petitioners. If the respondent municipality is proposing to do so, it can proceed with the demolition or otherwise with reference to the said property of the petitioners either in accordance with law or after obtaining the consent of the petitioners.

4. Writ petition is accordingly disposed of. No order as to costs.

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S. ANANDA REDDY, J.

Dated: 20-09-2007

Note:

Issue operative portion of
the order by Wire at party's costs.

B/O

Rns